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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/715,860	11/19/2003	Ichimi Koshihara	245636US90	5608

22850 7590 09/21/2005

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EXAMINER

LE, DANH C

ART UNIT PAPER NUMBER

2683

DATE MAILED: 09/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/715,860

Applicant(s)

KOSHIHARA, ICHIMI

Examiner

DANH C. LE

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 4-6 is/are rejected.
- 7) ☒ Claim(s) 2 and 3 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on 4/20/04 and 09/08/04 have been considered by the examiner and made of record in the application file.

Claim Objections

2. Claims 4 and 6 are objected to because of the following informalities:

As to claim 4, the applicant stated the second recording, second comparing and second delivery. However, there is no first recording, first comparing and first delivery in the claim.

As to claim 6, the applicant stated the third recording, second automatic opening. However, there is no first recording, second recording and first automatic opening in the claim.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. **Claims 1 and 6 are rejected under 35 U.S.C. 102(a) as being anticipated by Yamamoto (JP 2002300655A or 2002215586A which corresponding to US 2005/0108520).**

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As to claim 1, Yamamoto teaches a mail server for delivering to a mobile communication terminal electronic mail addressed to said mobile communication terminal (figure 7, 8, 13, 14), comprising:

first recording means for recording an address notified by said mobile communication terminal as a recorded address;

first comparing means for comparing a transmission source address comprised in an electronic mail addressed to said mobile communication terminal with said recorded address recorded by said first recording means; and

first delivery means which, when said recorded address and said transmission source address match according to the comparison performed by said first comparing means, deliver electronic mail comprising this transmission source address repeatedly to said mobile communication terminal.

As to claim 6, Yamamoto teaches the mobile communication terminal for receiving electronic mail delivered from a mail server (figure 7, 8 and 14), comprising:

third recording means for recording an inputted address as a recorded address; and

second automatic opening means which, when a transmission source address comprised in an electronic mail received from said mail server matches the recorded address recorded by said third recording means, automatically open said electronic mail comprising this transmission source address.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamoto in view of Takae (US 2004/0087337).

As to claim 4, Yamamoto teaches a mail server for delivering to a mobile communication terminal electronic mail addressed to said mobile communication terminal (figure 7, 8, 14), comprising:

second recording means for recording an address notified by said mobile communication terminal as a recorded address;

second comparing means for comparing a transmission source address comprised in an electronic mail addressed to said mobile communication terminal with said recorded address recorded by said second recording means;

identification information attachment means which, when said recorded address and said transmission source address match according to the comparison performed by said second comparing means, attach to an electronic mail; and

second delivery means for delivering to said mobile communication terminal electronic mail to which said automatic opening identification information is attached.

Yamamoto fails to teach an electronic mail comprising this transmission source address automatic opening identification information serving as a trigger for implementing

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processing to cause said mobile communication terminal to automatically open the electronic mail upon reception of the electronic mail. Takae teaches an electronic mail comprising this transmission source address automatic opening identification information serving as a trigger for implementing processing to cause said mobile communication terminal to automatically open the electronic mail upon reception of the electronic mail (paragraph 0022, 0023 by setting of the mobile device). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Takae into the system of Yamamoto in order to automatically open the email after receiving the email.

As to claim 5, Yamamoto teaches a mobile communication terminal for receiving electronic mail from a mail server which functions to deliver electronic mail after attaching automatic opening identification information to an electronic mail comprising recorded address as a transmission source address, comprising first automatic opening means which, when said electronic mail delivered from said mail server is received.

Yamamoto fails to teach said automatic opening identification information serving as a trigger for implementing processing to cause said mobile communication terminal to automatically open the electronic mail upon reception of the electronic mail and automatic opening identification information is detected said electronic mail, automatically open said electronic mail (paragraph 0022, 0023 by setting of the mobile device). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Takae into the system of Yamamoto in order to automatically open the email after receiving the email.

Allowable Subject Matter

Claims 2 and 3 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As to claim 2 the teaching of above prior arts either alone or in combination fails to teaches the mail server according to claim 1, wherein said first recording means record addresses notified by said mobile communication terminal as recorded addresses each having different redelivery intervals in accordance with instructions from said mobile communication terminal, said first comparing means compare said transmission source address with said recorded addresses each having different redelivery intervals, and said first delivery means deliver electronic mail comprising a transmission source address which matches said recorded address repeatedly at the redelivery interval recorded for said recorded address which matches said transmission source address in the comparison performed by said first comparing means.

As to claim 2 the teaching of above prior arts either alone or in combination fails to teaches the mail server according to claim 1, wherein said first recording means record addresses notified by said mobile communication terminal as recorded addresses each having a different number of redelivery times in accordance with instructions from said mobile communication terminal, said first comparing means compare said transmission source address with said recorded addresses each having a different number of redelivery times, and said first delivery means deliver electronic mail comprising a transmission source address which matches said recorded address

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repeatedly up to the number of redelivery times recorded for said recorded address which matches said transmission source address in the comparison performed by said first comparing means.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A. Quine et al (US 2002/0087647) teaches method for predetermining a correct recipient for an undeliverable email message.

B. Salzfass et al (US 2002/0042815) teaches automatic system and method for routing undeliverable email messages and otherwise managing email.

C. Ross, Jr (US 2002/0143885) teaches encrypted email reader and response system, method, and computer program product.

D. Pepe (US 5,742,668) teaches electronic massaging network.


E. Celik (US 2005/0149487) teaches method and apparatus for storing and retrieving business contact information in a computer system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANH C. LE whose telephone number is 571-272-7868. The examiner can normally be reached on 8:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM TROST can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "danh", is written over a horizontal line.

September 17, 2005.

DANH CONG LE
PATENT EXAMINER